Regulatory Services – Privacy Notice

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Table of Contents

1. Who we are and what we do.....Page 3
2. Why we collect information .....Page 4
3. What information we collect..... Page 4
4. How we use your information and who we may share information with .....Page 5
5. How the law allows us to use your personal information .....Page 6
6. How you can access the information we hold about you and other rights ..Page 7
7. How long we will keep your information.....Page 7
8. Who you can contact about Data Protection and your rights ..... Page 7

1.Who we are and what we do

Southend-on-Sea City Council is the data controller for your personal information.

The Council's Data Protection Officer (DPO) can be contacted by email at dataprotection@southend.gov.uk or by telephone on 01702 215000.

This Privacy Notice is for the work of Regulatory Services and sits under the Council's overarching Privacy Notice available here – Privacy Notice May 2025

This Privacy Notice will tell you:

- Why we collect information about you.
- What information we collect.
- How we use your information and who we share your information with.
- How the law allows us to use your personal information.
- How you can access the information we hold about you and other rights.
- How long we keep your information.
- Who can you contact about data protection and your rights.

Southend on Sea City Council Regulatory Services administers the following licensable activities:

- Houses in Multiple Occupation and selective licensing of privately rented homes.
- Residential caravan site licences
- Licensing Act
- Gambling Act
- Animal sales, Boarding/Kenneling and day care
- Zoos and riding establishments
- Explosives and petroleum
- Scrap metal
- Massage and special treatments
- Private hire and hackney carriage operators, drivers and vehicles
- Sexual entertainment venues

Southend on Sea City Council Regulatory Services also carries out inspections and responds to service requests for the above licensable activities and for the following activities:

- Food hygiene and standards
- Health and Safety
- Permitted processes
- Statutory nuisance
- Animal health and welfare
- Anti-social behaviour
- Stray dog service
- Rabies control
- Pest control
- Animal feed
- Trading Standards
- Air quality
- Private Sector Housing - including HMOs and single family homes

- Homes for Ukraine scheme and long term immigration inspection requests.
- Public health funerals
- Filthy and verminous premises
- Infectious disease
- Skin piercing

We enforce a range of legislation in relation to these activities. We undertake proactive work as well as reactively responding to complaints. We also provide advice to support businesses and individuals to ensure that the City is safe for residents, visitors and those working in premises in Southend-on-Sea.

2. Why we collect information

To administer the wide range of Regulatory Services activities, we may need to collect a wide range of personal information.

This notice explains why we ask for relevant personal information in relation to these licenses, inspections and investigations of complaints and how that information will be used and how you can access your records.

Guidance on the activities undertaken by Regulatory Services can be found on our website https://www.southend.gov.uk/

If you have questions regarding these activities or our privacy practices, you can contact us in writing at:

Regulatory Services, Southend on Sea City Council, Civic Centre, Victoria Avenue, Southend-on-Sea, Essex. SS2 6AN

Or by email at: council@southend.gov.uk

3. What information we collect

The type of information we collect will depend on the reason for our interaction with you, but may include:

- Name, address and contact details
- Age and date of birth
- National insurance number
- Passport details
- Proof of your right to live and/or work in the UK
- Proof of your address
- Medical records
- DBS and details of a proposed licence holder's fit and proper person status, including details of any criminal convictions
- Driver records
- Training records
- Information to support your claim, such as tenancy agreements, fire safety records, gas and electrical safety certificates and insurance documents

- Evidence from on-site inspections and from our investigations, which may include but is not limited to:
  photographs;
- audio and video recording (including the use of drone or body worn video cameras);
- audio recording from noise monitoring equipment;
- audio and video recording from The Noise App, an external platform with whom we may share your name and email information as part of our statutory function to investigate complaints, so you can access and use The Noise App if you choose to;
- detailed notes of what has been observed, including witness statements
- We may access information which other Council services or other statutory agencies already hold about you, such as from Council Tax
- Ownership and charge details from the H.M. Land Registry
- Next of kin details
- Proof of your tax status

We will only ask for personal information that is appropriate, reasonable and proportionate to enable us to deliver our services.

4. How we use your information and who we may share your information with?

We need the information from you so that we can:

- determine licence applications and administer licensing schemes.
- undertake statutory inspections and proactive enforcement.
- react to and investigate complaints.

We collect information from you directly and from other sources. We may be required to share this information with other organisations, partner agencies and external regulatory partners for purposes of law enforcement and fraud and for the prevention or detection of crime, the capture or prosecution of offenders and the assessment or collection of tax or duty.

This includes:

- Other council departments such as Waste and Recycling, Planning, Building Control, Council Tax, Social Care and Community Safety.
- Other Local Authorities and other statutory services such as Essex Fire and Rescue Service, Essex Police and Health.
- National Anti-Fraud Network (NAFN), the National Register of Taxi & Private Hire Revocations and refusals (NR3) database and the Trading Standards Intelligence Database (IDB).
- Credit referencing agencies.
- Property freeholders, leaseholders and mortgage companies.

- HMRC, UK Border Force, Home Office, Gambling Commission, Office of Product Safety and Standards, Food Standards Agency, DEFRA, MHCLG, Environment Agency and other Government agencies and departments

We may contact you from time to time if we feel there are developments in the law you need to be aware of, if we have information that may benefit you or if we would like to consult with you about a new policy or procedure.

Where we have issued a licence, we will normally contact you before the licence renewal date to ensure you remain licensed.

Information will also be held on public registers and portals for the following activities:

- Licensed HMOs and other dwellings, Temporary Exemption Notices and Management Orders under the Housing Act 2004
- Residential caravan sites
- Permitted Processes
- Licensing Applications
- Skin Piercing
- Public health funerals
- Taxi driver applications made to other authorities.

5. How the law allows us to use your personal information

The legal bases we use to process your personal data under the UK General Data Protection Regulation ("UK GDPR") and Data Protection Act 2018 are;

Personal Data: UK GDPR, Article 6(1) and DPA 2018 Section 8

(a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose

(b) Contract: the processing is necessary for a contract we have with the individual, or because they have asked us to take specific steps before entering a contract

(c) Legal obligation: the processing is necessary for us to comply with the law (not including contractual obligations).

(e) Public task: processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

Sensitive Personal Data: UK GDPR Article 9 (2) and DPA 2018 Schedule 1, Part 2

(a) Explicit consent

(g) Reasons of substantial public interest (with a basis in law)

We will not be able to assess and process your licence application or complaint without the personal data you provide us with. We will also need this information to properly regulate the statutory inspection programmes.

If we have asked for consent to use your personal information, you have the right to withdraw it at any time. If you want to remove your consent, please contact Dataprotection@southend.gov.uk and tell us which service you're using so we can deal with your request.

6. How you can access the information we hold about you and other rights

You have the right to request information about yourself under the relevant data protection legislation.

To make a Subject Access Request you can use one of the following methods:

- Complete our online form
- Phone: 01702 215000
- Write to: Data Protection, Civic Centre, Victoria Avenue, Southend-on-Sea SS2 6ER or dataprotection@southend.gov.uk

You also have other rights under data protection legislation;

- The right to rectification
- The right to erase (the right to be forgotten)
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

To make a request to exercise any of these rights you can contact us using the details provided above.

7. How long will we keep your information

Dependent on the basis for which we have collected or hold information from you, there will be different retention timeframes for how long the information is held.

We will retain all records in line with our organisational retention policies and we will not retain information for longer than is necessary or than we are allowed to do so.

8.Who you can contact about Data Protection and your rights

If we are unable to resolve a concern or complaint to your satisfaction, you can contact the Information Commissioner's Office (ICO) www.ico.org.uk using one of the following methods:

- Phone: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.
- Email casework@ico.org.uk
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.